



TOWN OF NEWINGTON

200 Garfield Street Newington, Connecticut 06111

Town Planner

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Town Planner

Memorandum

To: TPZ Commission
From: Town Planning Staff
Date: January 8, 2026

Petition TPZ-25-24: Modification of Special Permit (#30-98) to allow live entertainment within an existing restaurant use with alcoholic beverage sales permitted pursuant to N.Z.R. (Section 6.6) and alter the hours of operation, at 217 Kelsey Street (AKA 30-48 Christian Lane) in the PD (Planned Development) Zone. Applicant and Contact: Mariela Barreto Perdomo, Owner: Reno Properties II. (Application Received 11/24/25 – 65 Days to Open Public Hearing by 1/28/2026).



Property Zone: Planned Development (PD)

Adjacent Zones: Planned Development and City of New Britain

Adjacent uses: North – Plant Nursery

East – Office Uses (within shared plaza)

South – Office Uses (within shared plaza)

West – City of New Britain (I-2 Zone – General Industrial)

Nearest Newington Residence (+/- 1250' away)

Staff Report:

The applicant is seeking approval to incorporate live entertainment – including; small bands, DJs, and Karaoke into their existing restaurant 2-4 times per month. This would be accomplished through amending the prior Special Permit #30-98, for liquor sales in a restaurant, to allow live entertainment. The Special Permit #30-98, for alcohol sales, and Special Permit, for a restaurant, were both approved on 7/22/1998. Condition 2 of Special Permit #30-98 reads:

The hours of operation of the restaurant shall be limited to 6:00 am to 11:00 pm seven days a week.

The applicant has recently purchased the restaurant and is currently keeping the same hours that were being utilized by the prior owner. While the proposed hours of operation are a reduction of overall hours (119 per the special permit condition vs 86 proposed), the notable difference in hours of operation is the closing hours being modified from 11pm to 1 or 2 am. To that end they are requesting to modify condition 2 of the prior alcohol permit to formalize those hours which are as follows:

Hours of Operations

Tuesday – Thursday 11:00 am – 1:00 am

Friday – Saturday 11:00 am – 2:00 am

Sunday – 11:00 am – 1:00 am

To address the previous special permit condition, and the Commission's process regarding identifying live entertainment during the special permit process, the special permit for alcohol sales has been identified as part of the modification for the ZEO to be able to sign off on a State Liquor Permit with a live entertainment endorsement.

Parking

The original Site Plan, under Petition #1087-86, was approved on 5/27/1987 and included 403 parking spaces for the entire site. The majority of the site serves as office space and the hours of operation only overlap from lunch through 5 pm. The proposed entertainment would be later in the evenings and parking conflicts with the office tenants are not anticipated.

Staff Comments:

Staff has not received any complaints of parking issues or noise at that location. The nearest residence from the site is approx. 1250' +/- to the east. The applicant has provided a floor plan depicting the proposed live entrainment area.

Commission:

In reviewing this application, the Commission should consider the criteria for all Special Permits as in section 5.2 of the regulations of the NZR and section 6.6. They are attached for your review.

Section 5.2 Procedures and Standards for All Special Permits

5.2.1 Uses specified in these regulations as special permits are declared to possess such special characteristics that each must be considered a special case. The following general procedures, requirements and standards apply and must be followed; in addition to the standards and conditions particular to the proposed use and specifically set forth in these in these regulations. Those conditions and standards are hereby determined to be necessary to protect the public health, safety, convenience and property values.

5.2.2 Petitions for special permits must be heard by the appropriate commission or board as required in the section relating to the permit or permit.

5.2.3 A public hearing is required on the proposed special permit with due notice as provided by Connecticut General Statute.

5.2.4 After the hearing, the commission or board may approve, disapprove or approve with conditions.

5.2.5 To permit proper review, the commission or board may, in accordance with Section 5.3, require that a site plan be submitted, and may require any other information deemed necessary to determine if the use is in harmony with the intent of the regulation, and the character of the area in which it is located.

5.2.6 In reviewing the proposed special permit, the Commission shall consider the following criteria as well as any specific standards pertaining to the requested special permit or special permit and record its findings in the record of the meeting:

- A. The need for the proposed use in the proposed location.
- B. The existing and probable future character of the neighborhood in which the use is located.
- C. The size, type and location of main and accessory buildings in relation to one another, and in relation to other structures in the vicinity.
- D. Traffic circulation within the site; amount, location and access to parking, and traffic load or possible circulation problems on existing streets or proposed streets and

driveways considering impact on existing streets are effected. For large scale retail developments in excess of 40,000 square feet of gross floor area a traffic impact analysis report with proposed mitigation measures shall be submitted with the application.

E. Availability of public water and sewer, and possible overloading of water and sewage systems and the adequacy of the existing off site storm water system serving the property to safety accommodate any increase in drainage. (Effective 12/01/2001)

F. Location and type of display signs, lighting and landscaping and the impact of type signs on adjacent properties.

G. Safeguards to protect adjacent property, and the neighborhood in general, from detriment including, but not limited to proper buffering.

5.2.7 Following an approval of a special permit, such approval shall become null and void if the use proposed under the special permit changes. Amendments to the conditions of a Special Permit or substantial changes shall require a new petition and public hearing as required by the Connecticut General Statutes. (Effective 12-01-01)

5.2.8 No special permit granted according to these regulations shall be effective until a copy of the special permit, signed by the Chairman of the Commission or Board, whichever is applicable, is filed by the applicant in the Town Clerk's office in accordance with State Statutes which require recording in the Land Records.

5.2.9 The Commission may attach a time limit to a Special Permit when it determines that such a condition will protect adjacent property and the character of the neighborhood. If a time limit is made a condition of approval the Special Permit may be revoked for due cause after a public hearing.

Section 6.6 Regulations Governing Uses Which Sell Alcoholic Beverages

6.6.1 General

Permitted uses which sell or serve alcoholic beverages are declared to possess such special characteristics that each must be considered an individual case.

6.6.2 Special Permit

The Commission may grant a permit to sell or serve alcoholic beverages in buildings permitted in non-residential zones, subject to the following conditions, and the provisions of Section 5.2 and 5.3.

6.6.3 Conditions

A. No use on a lot shall be permitted which is within a 500-foot radius of any part of a lot used for a college, school, church or hospital. No college, school, church or hospital shall be located within a 500' radius of any part of a lot of a business with a valid liquor permit. (Effective 12/01/2001)

B. Except as provided in Section 6.6.3.c, a building in which alcoholic beverages are sold under any class of liquor permit shall meet the following distance requirements in relation to any

other location with the same class of permit. Distance shall be measured from the radius of the front door to front door of each establishment. (Effective 07/14/2018)

B Zone 1,500 feet
B-TC Zone 100 feet
B-BT Zone 500 feet
PD & CD Zones 500 feet
I Zone 1,500 feet
PL Zone No Distance Requirement

C. There shall be no distance requirement for restaurants (Effective 11-16-2018). Brew pubs, brew pub restaurants, distillery pubs and distillery restaurants shall be considered “Restaurants and the like” for the purposes of Section 6.6.3.D (effective 07-14-2020).

D. Class of permit is to be regulated with distance requirement:

Club and the like
Store and the like
Bar and the like
Restaurant and the like

E. A retail use or outlet selling alcoholic liquor having a lawfully existing location may be relocated within 1,000 feet of its existing location even though the new location is within 500 feet of other locations of such use in a building licensed under the same class of permit.

F. Nothing contained herein, however, shall authorize any use serving or selling alcoholic beverages located in a residence zone.

G. No other sale, service or public consumption of alcoholic beverages is permitted.

6.6.4 Approval

In passing upon applications for permits under this section, the Commission shall consider the effect of any individual permit on the maintenance of public order, safety and the protection of property.

The Commission may vary or waive the minimum distance requirements by a vote of two-thirds of the full membership if the Commission finds that such decrease

- A. Will not cause undue concentration of liquor outlets in the area;
- B. Will be in harmony with the general purpose of the zoning plan for the area;
- C. Will not result in such proximity of the proposed outlet to schools, churches, public playgrounds or residential zones so as to adversely affect the health, safety and morals of people in the area; and
- D. Will not create traffic hazards.